



Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which stated below next to my name; that a patent is sought on the invention entitled: **ELECTRICAL ENERGY STORAGE**.

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) §153(e). for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

Foreign application(s), if any, claiming priority under 35 U.S.C. § 119:

Application Number 9823509.6 9902543.9	<u>Country</u> United Kingdom United Kingdom	<u>Day/Month/Year Filed</u> 27/10/1998 04/02/1999
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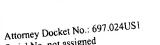
I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Filing Date **Application Number** October 27, 1999 PCT/GB99/03547

Status

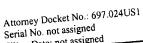




Page 2 of 4

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Serial No. not assigned Filing Date: not assigned

	Callowing a	ttorney(s) and/or patern k Office connected here	agoni(b) · I		
I hereby appo	oint the following a	k Office connected here	ewiui.	Walter W	Reg. No. 25,539
in one in the Pa	atent and Trademan		Dag No. 30,134	Nielsen, Walter W. Padys, Danny J.	Reg. No. 35,635
Il business in the	016	Haack, John L.	Reg. No. 37,346	Parker, J. Kevin	Reg. No. 33,024 Reg. No. 42,989
	Reg No. 24,910	Harris, Robert J.	Peg No. 37,548	pordok Monique IVI.	Reg. No. 47,857 Reg. No. 23,005
nglin, J. Michael	Deg. No. 42,207	and Grand Mark K	Deg. No. 4/30/0	Poterson David C.	Reg. No. 33,995 Reg. No. 33,995
rora, Suneel	Reg. No. 38,377	Jackson Huebson, National	Deg No. 44,813	prout William F.	Reg. No. 39,422 Reg. No. 39,422
Beekman, Marvin L.	Reg. No. 39,610	Jurkovich, Patti J.	Per No. 37,650	G-bumm Sherry W.	Reg. No. 25,816
Bianchi, Timothy E.	Reg. No. 32,836	rr 1:- Yanal M	Deg. No. 40,032	Schwegman, Micheal L.	Reg. No. 38,613
Billion, Richard E.	Reg. No. 42,331	Klima-Silberg, Cauletine 1	Pag No 32,140	Scott John C.	Dog No 45,300
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Brennan, Thomas F.	Reg. No. 35,075	Loov Rodney L.	Dog No. 36,190	Choier Gary J.	Pag No. 25,179
Brooks, Edward J., III	Reg. No. 40,925	Lamaire, Charles A.	Pag No 40,062	Steffey, Charles E.	Peg No. 46,231
Chadwick, Robin A.	Reg. No. 36,477 Reg. No. 38,107	LeMoine, Dana B.	Deg No. 30,568	Stordal Leif 1.	Reg No. 31,884
Clark, Barbara J.	Reg. No. 40,957	Lundberg, Steven W.	Reg. No. 42,832	Terry, Kathleen K.	Pag No. 45,410
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Dahl, John M.	Reg. No. 40,594	Malen, Peter L.	Reg No. 35,2/1	Viksnins, Ann 5.	Deg No. 41,303
Drake, Eduardo E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 42,858	Mogel Peter J.	Reg. No. 30,440
Embroteon Janet E.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 33,742	Woessner, Warren D.	5
Fordenhacher, Paul J.	Reg. No. 30,837	Moore, Charles L., Jr.	Reg. No. 44,255		A A A
		Nama, Kash	Reg. No. 28,650		
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		2: Alan Stockwell	Residence	e: Woking, England	
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Filing Date: not assigned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity

Section 1001 of Title of the application or ull Name of joint inventor num itizenship: ost Office Address:	18 of the United States Code and any patent issued thereon. Der 3: Ian Duckels United Kingdom Bridge Farm Burtons Gardens, Old Basing Basingstoke, Hampshire RG242 0BY	Residence: Basingstoke, Hampshire RG242 0BY, England		
	Basingstoke, Hampsine 228 England	Date:		
Signature: Ian	Duckels			
Full Name of inventor:		Residence:		
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§ 1.56 Duty to disclose information material to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Under this section, information is material to patentability when it is not cumulative to information already of record or being (b) Under this section, information of record in the application, and -

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or

88 (ii) Asserting an argument of patentability. A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of pätentability.

- Individuals associated with the filing or prosecution of a patent application within the meaning of this section are: (c)
 - Each inventor named in the application:
 - Each attorney or agent who prepares or prosecutes the application; and
 - Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, (d) agent, or inventor.